



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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IN REPLY PLEASE
REFER TO FILE: **LD-1**

February 12, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**COMPLETION AND TRANSFER OF DRAINAGE FACILITIES
MISCELLANEOUS TRANSFER DRAIN NO. 1663
CITY OF POMONA
SUPERVISORIAL DISTRICT 1
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that this transfer is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Approve and accept the transfer and conveyance to the Los Angeles County Flood Control District (LACFCD), from the City of Pomona, Miscellaneous Transfer Drain (MTD) No. 1663, as depicted on District Drawing Nos. 364-6402-F25.1-.4, on file with Public Works, subject to conditions and provisions contained in the enclosed City's Resolution.
3. Accept the completed construction work on MTD No. 1663.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

These actions provide for the transfer and acceptance of drainage facilities known as MTD No. 1663 into the County flood control system for operation and maintenance. The transfer and continued maintenance of MTD No. 1663 by the LACFCD provides for public health and safety to residents and visitors to the area.

Implementation of Strategic Plan Goals

The transfer of MTD No. 1663 is consistent with the County Strategic Plan Goal of Service Excellence since the regularly scheduled maintenance of our flood control facilities is needed to provide flood protection that improves the quality of life to residents in the area.

FISCAL IMPACT/FINANCING

No negative fiscal impact. Maintenance for MTD No. 1663 will be funded with Flood Control District funds. There will be no increase in net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

MTD No. 1663 was constructed to the satisfaction of the Director of Public Works. The Director of Public Works, as Chief Engineer of the LACFCD, reviewed and approved the facilities for transfer. The City of Pomona adopted a Resolution requesting the LACFCD to accept the transfer and conveyance of MTD No. 1663. Under the provisions of Section 13-3/4 of the Los Angeles County Flood Control Act, these facilities may be transferred to the LACFCD.

ENVIRONMENTAL DOCUMENTATION

This transfer is categorically exempt from the provisions of CEQA, as specified in Class 1(u) of the revised Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15301 of the CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

No adverse impact.

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CONCLUSION

We are enclosing a certified copy of the City's Resolution for your files. At such time as this recommendation is adopted, please return a copy of this letter to Public Works, Land Development Division.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

Al:plg
P: LDPUB\SUBDIVSN\MGMT\BOARD\MTD1663

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION NO. 2003-222

A RESOLUTION OF THE COUNCIL OF THE CITY OF POMONA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT ON BEHALF OF SAID DISTRICT THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 1663 IN THE CITY OF POMONA FOR FUTURE OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZE THE TRANSFER AND CONVEYANCE THEREOF

WHEREAS, there have been dedicated to, or the City has otherwise acquired, the storm drain improvements and drainage system know as Miscellaneous Transfer Drain (MTD) 1663, depicted on Los Angeles County Flood Control District Drawing Nos. 364-6402-F25.1 through 364-6402-F25.4 on file with the Director of Los Angeles County Department of Public Works;

WHEREAS, the City is authorized and empowered to transfer and convey to the Los Angeles County Flood Control District any storm drain improvements and drainage systems for future operation, maintenance, repair, and improvement;

WHEREAS, the best public interest will be served by transfer and conveyance of said storm drain improvements and drainage system from the City to the Los Angeles County Flood Control District for future operation, maintenance, repair, and improvement; and

WHEREAS, the City and the Los Angeles County Flood Control District entered into an agreement, No. 60947, dated March 14, 1989, and recorded August 22, 1989, as Document No. 89-1346418, of the Official Records in the Office of the County Recorder for the County of Los Angeles, whereby the City made certain warranties about this future transfers and conveyances of flood control facilities to the District.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Pomona as follows:

SECTION 1. The City Council requests the Los Angeles County Flood Control District to accept the transfer and conveyance of the storm drain improvements and drainage system depicted on Los Angeles County Flood Control District Drawing Nos. 364-6402-F25.1 through 364-6402-F25.4 on file with the Director of Los Angeles County Department of Public Works.

Resolution No. 2003-222

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SECTION 2. That subject to the acceptance thereof of the Board of Supervisors of the Los Angeles County Flood Control District, the City Engineer is directed and ordered to prepare all necessary instruments and documents, to effectuate said transfer and conveyance, and that the City Manager is authorized and instructed to execute said documents and other instruments. District shall have no obligation or responsibility to maintain said storm drain, improvements, and drainage until all rights-of-way for said drain now vested in the City and all other necessary rights-of-way have been conveyed to and accepted by District.

SECTION 3. That the City Clerk shall certify to the adoption and passage of this Resolution and it shall thereupon take effect and be in full.

APPROVED AND PASSED this 20th day of October, 2003.

ATTEST:

THE CITY OF POMONA

ELIZABETH VILLERAL, CMC
City Clerk

EDWARD S. CORTEZ
Mayor

APPROVED AS TO FORM:

ARNOLD M. ALVAREZ-GLASMAN
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) s.s. .
CITY OF POMONA)

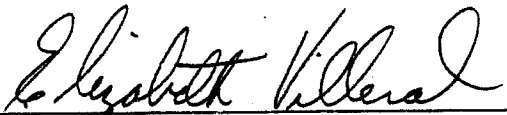
I, the undersigned, City Clerk of the City of Pomona, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of:

RESOLUTION NO. 2003-222, Requesting the Board of Supervisors of the Los Angeles County Flood Control District of the State of California to accept on behalf of said District the Transfer and Conveyance of the Storm Drain Improvements known as Miscellaneous Transfer Drain No. 1663 in the City of Pomona for future operation, maintenance, repair, and improvement, and authorize the transfer and conveyance thereof, which was passed, approved and adopted by the City Council at its regular meeting on October 20, 2003,

and that same has not been amended or repealed.

(SEAL)

Dated: October 29, 2003



City Clerk of the City of Pomona, California

certreaffirm.doc

STATE OF CALIFORNIA)
)ss.
COUNTY OF LOS ANGELES)

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by
the City Council of the City of Pomona, California, and signed by the Mayor of said City at a
(an) _____ regular meeting of said Council, held on the 20th of October, 2003, by the
following vote, to wit:

AYES:	Councilmembers:	<u>Hunter, Robles, Rodriguez, Lantz, Rothman, Torres,</u>
”	”	<u>(Mayor) Cortez.</u>
NOES:	”	_____
ABSTENTIONS:	”	_____
ABSENT:	”	_____
NOT VOTING:	”	_____

ELIZABETH VILLERAL, CMC
City Clerk, Agency/Authority Secretary